
**Rules of
Department of Insurance
Division 500—Property and Casualty
Chapter 3—Dwellings and Homeowners**

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**Title 20—DEPARTMENT OF
INSURANCE**

**Division 500—Property and Casualty
Chapter 3—Dwellings and Homeowners**

**20 CSR 500-3.100 Nonstandard Dwelling
Fire**

PURPOSE: This regulation states requirements for insurers filing and utilizing a nonstandard dwelling fire insurance rating plan. This regulation was adopted pursuant to the provisions of sections 374.045 and 397.351, RSMo (1986) and to implement sections 397.316—397.361, RSMo (1986).

(1) Exemption. This regulation does not apply to policies rated under an Insurance Services Office (ISO) or independently filed substandard condition charge schedule, however these policies must contain complete and substantive documentation to support these charges.

(2) Requirements Schedule.

(A) Any insurance carrier having filed and utilizing a nonstandard dwelling fire insurance rating plan shall—

1. Maintain separate statistical computation as to losses applicable, general expenses and commissions for any nonstandard dwelling fire program; and

2. Provide for each insured's acknowledgment of excess rate and signature of acceptance on the following statement which must be completed and kept on file: "I, _____, declare that I have been unable to obtain this insurance from other companies and do consent to pay the higher rates which I am being charged for this insurance. I understand that any deductible amount stated in my policy will be deducted from each claim I may make under the policy issued me."

(3) Powers and Duties of Director of Insurance.

(A) Any program so filed is subject to subsequent disapproval or modification.

(B) Experience, documentation and records for this program will be reviewed annually by the director of insurance or his/her duly appointed agent and an evaluation will be made regarding rate excess, unfair discrimination and rate inadequacy.

Auth: sections 374.045, 379.316 and 379.351—379.361, RSMo (1986). This rule was previously filed as 4 CSR 190-16.010. Original rule filed Dec. 20, 1974, effective Dec. 30, 1974. Amended: Filed July 15, 1976, effective Dec. 20, 1976.

Op. Atty. Gen. No. 285, Manford, 10-17-67. Insurance upon the lives of installment credit accountholders must be made pursuant to section 408.260, RSMo (Supp. 1965). Companies issuing this insurance must be authorized to do business in Missouri.

20 CSR 500-3.200 Cancellation, Non-renewal and Refusal to Write

PURPOSE: This regulation prohibits the mandatory use underwriting rules to promote discrimination in the writing of certain insurance upon owner-occupied habitational property not exceeding two families.

The establishment or use of any eligibility requirement or the mandatory application of any underwriting rule, which contains a provision applicable only to particular geographic areas or communities within this state in connection with policies of insurance providing fire and extended coverage insurance on owner-occupied habitational property not exceeding two (2) families is prohibited. This regulation shall not be construed so as to conflict with the ratemaking procedures set forth in section 379.318, RSMo (1986).

Auth: sections 374.045 and 375.001—375.008, RSMo (1986). This rule was previously filed as 4 CSR 190-16.160. Original rule filed Oct. 14, 1977, effective Feb. 11, 1978.